

Contd.
To
MICKO



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

December 13, 1984

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
N/S of Baltimore National Pike, S/S of
Powers Lane, 1,100' W of the center line
of Rolling Rd. - 1st Election District
Archway Motors, Inc. - Petitioner
No. 85-147-SPHA (Item No. 92)

Dear Mr. Howard:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: James Hanson, Esquire
8386 Court Avenue
Ellicott City, Maryland 21043

People's Counsel

85-147-SPHA
#92

Archway Motors, Inc.
N/S Baltimore National Pike, S/S Powers
Lane, 1,100' W of center line of Rolling Rd.
1st Election District

IN RE: PETITIONS SPECIAL HEARING AND
VARIANCES
N/S of Baltimore National
Pike, S/S of Powers Lane,
1,100' W of the centerline of
Rolling Road - 1st Election
District
Archway Motors, Inc.,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-147-SPHA

SHOW CAUSE

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this
1st day of March, 1985, that the Petitioner cited above show cause in
writing within 15 days from the date of this Order why the relief granted in the
Order dated December 13, 1984 shall not be withdrawn for failure to comply with
the restrictions therein. Failure to answer within the time stated shall auto-
matically cause the relief granted therein to be withdrawn.

The Petitioner may request a hearing in lieu of a written response.

Jean M. H. Jung
Zoning Commissioner of
Baltimore County

AJ/srl

cc: John B. Howard, Esquire

James S. Hanson, Esquire

People's Counsel

ORDER RECEIVED FOR FILING

DATE *March 1, 1985*
BY *John B. Howard*
ADMINISTRATIVE ASSISTANT

PETITION FOR SPECIAL HEARING 85-147-SPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition for a
Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whe-
ther or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve
in accordance with Section 104.1 the reconstruction and enlargement
of a nonconforming use where such reconstruction does not exceed 75%
of replacement cost.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing
of this Petition, and further agree to and are to be bound by the zoning regulations and restric-
tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm
under the penalties of perjury, that I/we
are the legal owner(s) of the property
which is the subject of this Petition.

Ground Lessee:

Tripec Associates

(Type or Print Name)

John B. Howard

Signature

908 York Road

Address

Towson, Maryland 21204

City and State

Attorney for Petitioner:

John B. Howard, Esquire

(Type or Print Name)

John B. Howard

Signature

210 Allegheny Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 823-4111

Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted

John B. Howard, Esquire

Name

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210 Allegheny Avenue

Address

Towson, Maryland 21204

City and State

<

TO: Mr. Robert Morton
FROM: C. Richard Moore
SUBJECT: C.R.G. COMMENTS

DATE November 22, 1983

PROJECT NAME: Westpark Retail - Office Complex
PROJECT NUMBER & DISTRICT: C.R.G. PLAN X
LOCATION: Powers Lane and Rt. 40 West
DEVELOPMENT PLAN: X
RECORD PLAT: X

A study will be needed showing the easternmost Route 40 access relocated as a use-in-common access with the site to the east.

The first 2 parking spaces to the south at the westernmost Route 40 entrance needs to be relocated.

CRM/CNJ/ccm

C. Richard Moore
Acting Deputy Director
Traffic Engineering

November 21, 1983

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

Westpark Retail - Office Complex

Subdivision Name, Section and/or Plat

J. H. P. Dwyer, Inc.
Developer and/or Engineer
Kann + Kanner, Inc.
Retail Office

Watershed: 2
No. of Lots: 4
Total Acreage: 4
Public: Public
Water: Public
Sewer: Public

COMMENTS ARE AS FOLLOWS:

Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.

Soil percolation test have been conducted. Revised plans must be submitted prior to approval of plat. are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.

Public sewers, public water, must be utilized and/or extended to serve the property.

A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, is incomplete and must be revised, has been reviewed and approved.

A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

It is recommended the plan, be approved as submitted, X be approved as submitted subject to the following conditions noted: below and in the attached memo dated November 15, 1983.

It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS: *DP*

1) This site is located in the Patuxent watershed and is therefore subject to the Patuxent watershed allocation schedule & Reserve Capacity Use Certificate. must be obtained prior to approval of a building permit for this site.

J.C. Powell

SS 783R

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Brooks Stafford
FROM: Stephanie Taylor
SUBJECT: ENVIRONMENTAL EFFECTS REPORT
WESTPARK RETAIL-OFFICE COMPLEX
CRG MEETING NOVEMBER 23, 1983 9:30 A.M.

Date: November 15, 1983

PLAN REVIEW NOTES

- One story retail building and two story retail/office building on 4.05 acres.
- Public water and public sewer proposed.
- Not in reservoir watershed.
- A small area of Watchung (WAB) soil exists on the site. Previous development has altered the area.
- An intermittent stream flows through property.
- Stormwater management facilities are required by the Department of Public Works.
- Proposed impervious area is 3.27 acres.

RESPONSES

Environmental Effects Report is approved, subject to the following conditions:

The owner agrees in writing to comply with the following Best Management Practices at this site:

- All areas except that used for buildings, sidewalks and paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.
- Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through October, concurrent with grass mowing; November through April, monthly.
- Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.
- Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extension Service.
- Filling will not occur in grassed or lined drainage ditches or swales.

ST:pm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586
494-4500

October 26, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Archway Motor, Inc.
Location: S/S Powers Lane 1100' W. from c/l Rolling Road
Item No.: 92
Zoning Agenda: Meeting of 10/9/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: *George M. Hegardt*
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3000

October 24, 1984

THE DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 92 Zoning Advisory Committee Meeting are as follows:

Property Owner: Archway Motor, Inc.
Location: S/S Powers Lane 1100' W. from c/l Rolling Road
Existing Zoning: P.U.
Proposed Zoning: Variance to permit a side yard setback of 6' in lieu of the required 30' and a front yard setback of 26.5' in lieu of the required 51.5'.
Special Hearing to approve the reconstruction and enlargement of a non-conforming use, where such reconstruction does not exceed 75% of replacement cost.

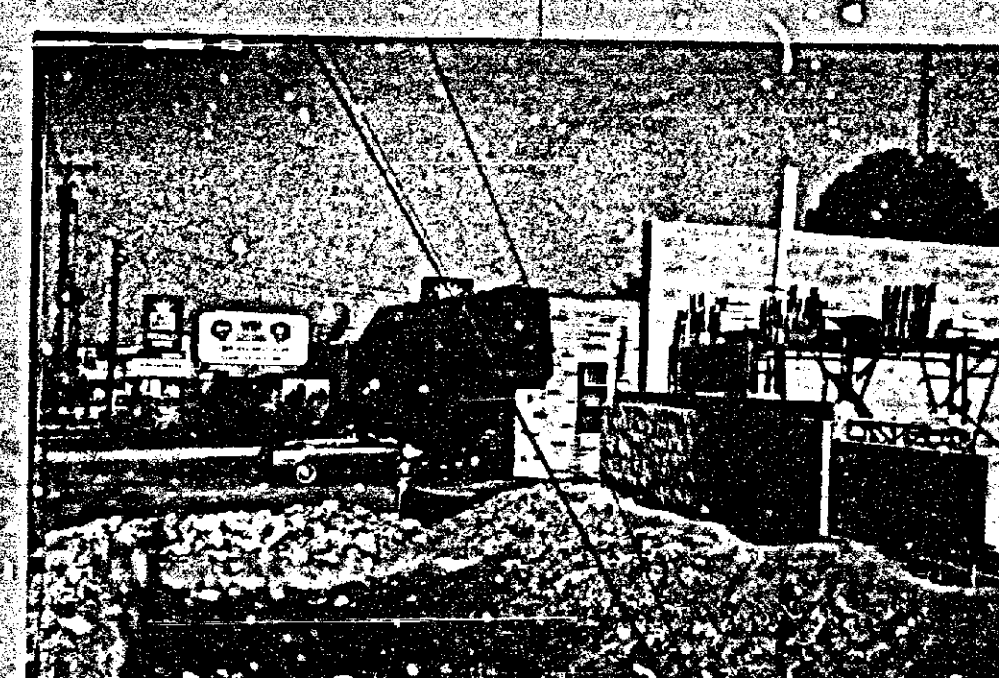
Acres: 3.3
District: 1st.

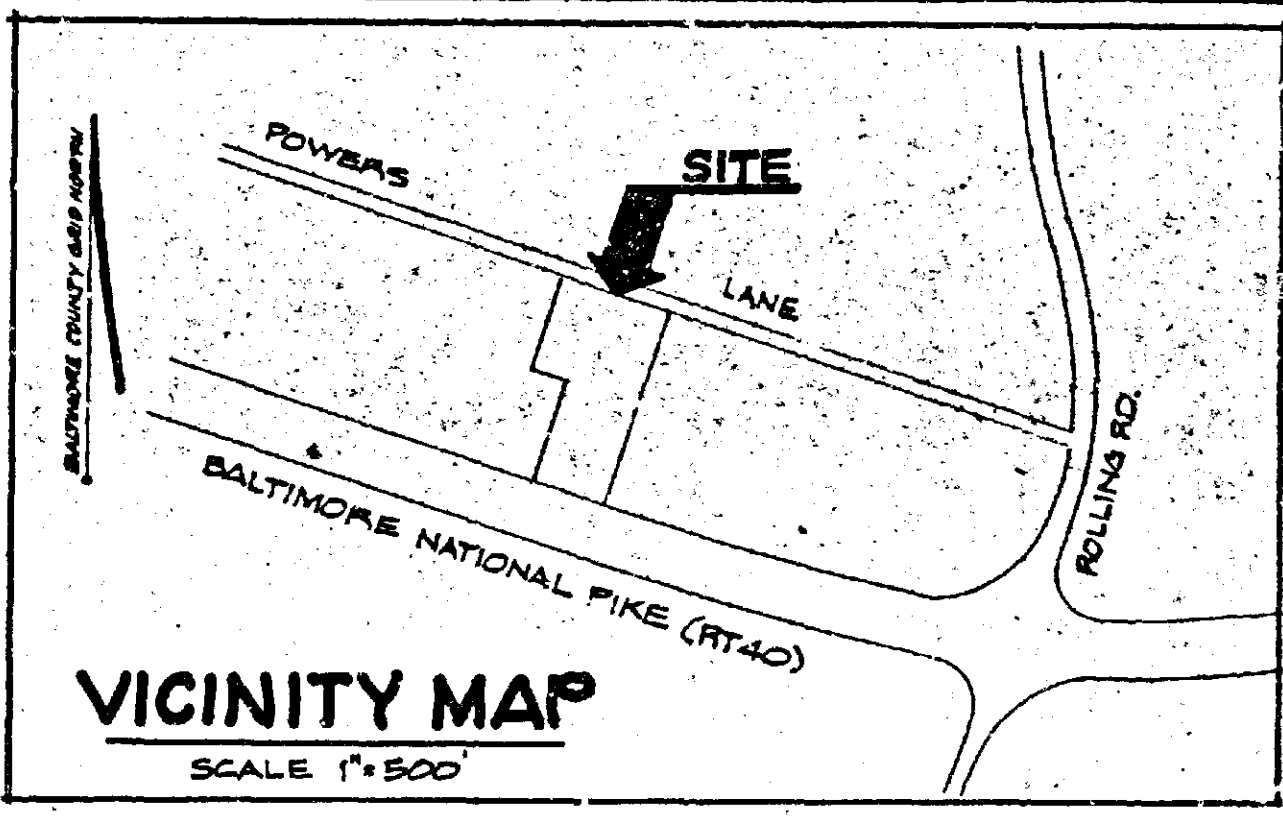
The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Age; and other applicable Codes.
- A building & other miscellaneous permit shall be required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 601, line 2, Section 307 and Table 106, also Section 502.2.
- Requested variance appears to conflict with the Baltimore County Building Code, Section/s
- A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 601.
- Comments - See Table 312.2 as to mixed uses. Section 1702.8 requires a building to be sprinkled when over 12,000 square feet in area. Comply with Tables 303.2 and/or Table 307.2 and the State Handicapped Code. Buildings shall be contained within the boundaries of the property lines. The elevation of the second floor of the larger structure is not indicated.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting from 100 (Plans Review) at 111 W. Chesapeake Ave., Towson.

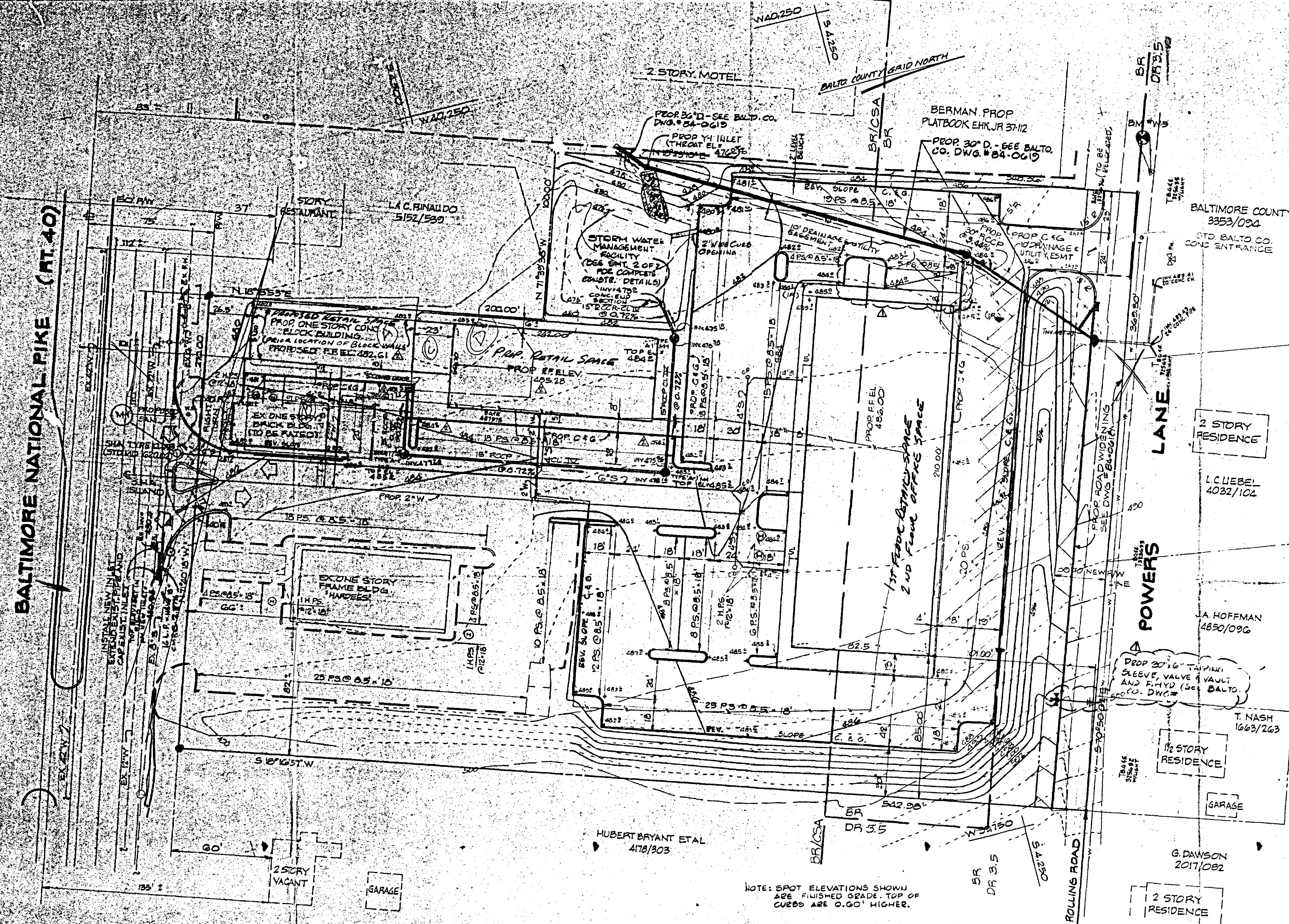
Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review





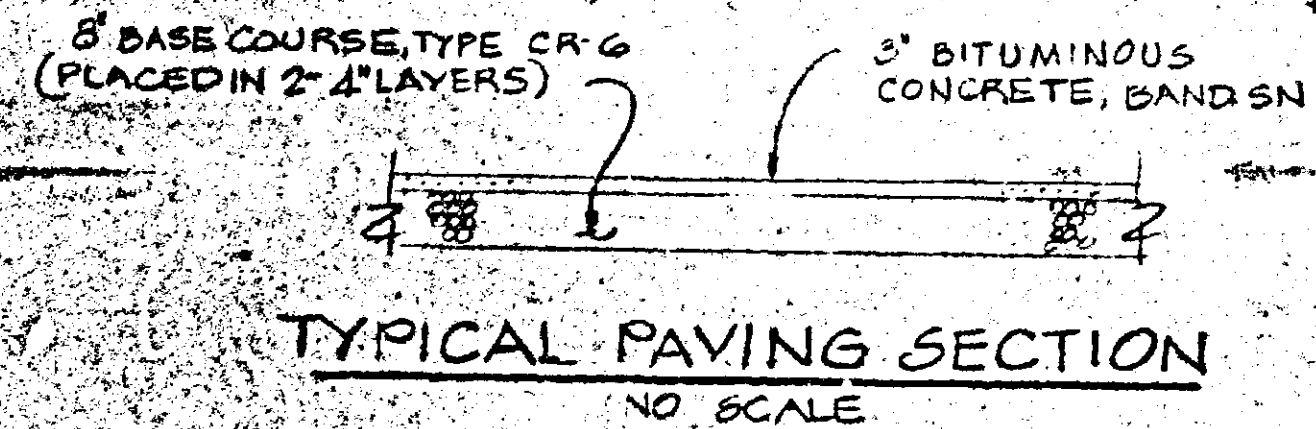
BENCH MARK W-5
HUB NO. 15549 ELEV. 487.494. RAILROAD SPIKE IN
MACADAM N.E. SIDE OF POWERS LANE

EXISTING ZONING BR 65A WITH 60' STRIP
OF DR 35 AND 95' STRIP OF BR
GROSS SITE AREA 4.241 AC
NET SITE AREA 2.055 AC
COUNCILMANIC DISTRICT 1
CENSUS TRACT 4015.04
WATERSHED 30
SUBSEWER SHED 78
PARKING DATA
I HARDEES RESTAURANT 3150 S.F.
@ 1/50 = 63 SPACES REQUIRED
63 SPACES PROVIDED
II RETAIL SPACE 26,400 S.F.
@ 1/200 = 132 SPACES REQUIRED
MEDICAL OFFICE 10,500 S.F.
@ 1/300 = 35 SPACES REQUIRED
167 SPACES PROVIDED
PROPOSED PARKING TOTAL SITE 232 SPACES
INCLUDING 6 HANDICAPPED SPACES
OWNERSHIP DATA
ARCHWAY MOTORS INC.
OTG 3136/673 10-02-001200
WJA 3768/667 10-02-001201
HARDEES RESTAURANT INC.
NOT RECORDED



NOTE:
ALL GRADES, ELEVATIONS, EARTH QUANTITIES ETC. ARE TO BE VERIFIED
BY THE CONTRACTOR. EARTH QUANTITIES SHOWN OR IMPLIED ARE
MEASURED TO FINISHED GRADE AND ARE APPROXIMATE. NO ALLOWANCE HAS
BEEN MADE FOR UNUSUAL MATERIAL ENCOUNTERED DURING
CONSTRUCTION. SUITABILITY OF SOIL FOR USE IN FILL AREAS OR STABILITY OF
CUT AREAS, ETC. SHOULD BE DETERMINED BY A SOILS
ENGINEER. EXISTING PAVING SECTION SHOWN SHOULD BE VERIFIED BY
A SOILS ENGINEER.

ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21208
(301) 484-4100



AVERAGE SETBACK = 48.5'

NOTE: SPOT ELEVATIONS SHOWN
ARE FINISHED GRADE. TOP OF
CURBS ARE 0.60' HIGHER.

OWNER
ARCHWAY MOTORS, INC.
5720 REISTERSTOWN RD.
BALTIMORE, MD 21215
(301) 760-3600

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING FOR ZONING VARIANCE
WESTPARK**

1st ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1"=30' SEP 20, 1984
SHEET 1 OF 1

7-B-84: Changed from on-site fixed to off-site as shown.
Relocate rest island out of driveway per zoning commands.
(Revised per JMS/Gawin.)
9-11-84: Revised Floor Elev. & Paving Elev. as Shown.

**PETITIONER'S
EXHIBIT 1**

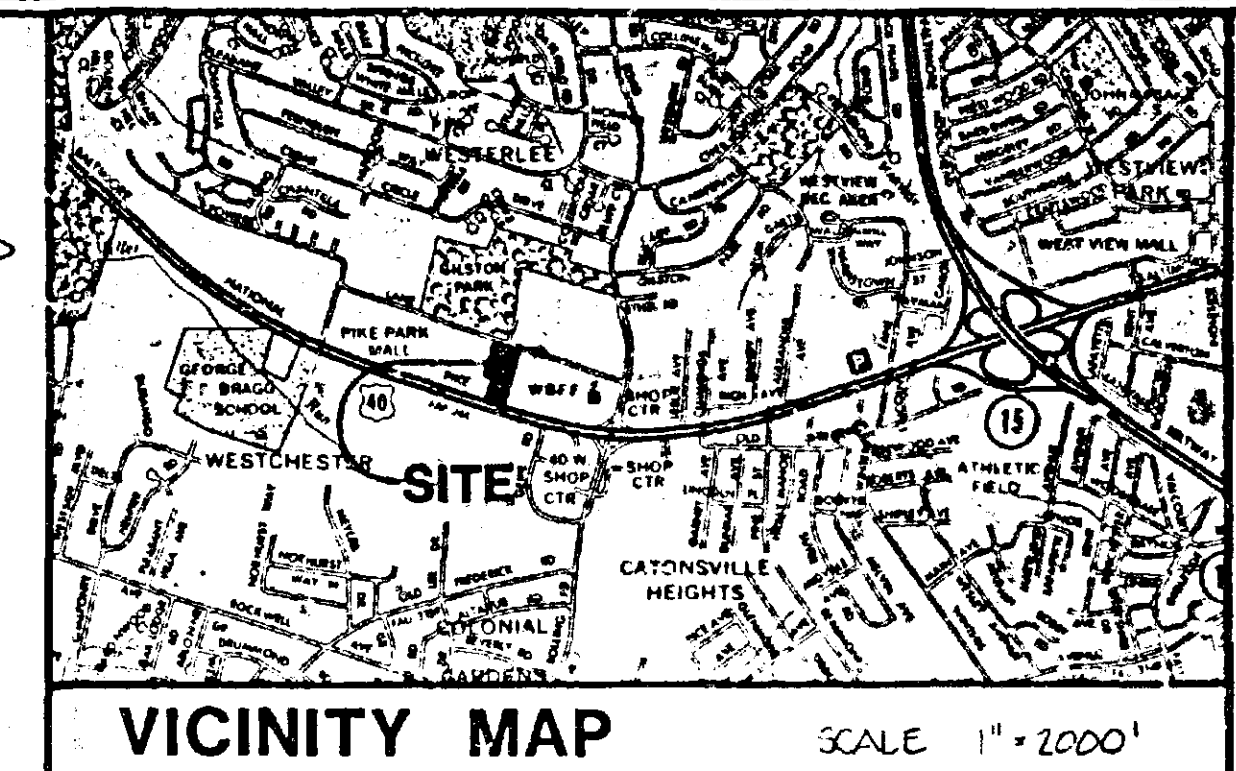
PROJECT DATA

DEVELOPMENT NAME: Westpark
 DEVELOPER: J.H.P. Developers, Inc.
 908 York Road,
 Towson, MD 21204
 (301) 823-5151
 OWNED: ARCHWAY MOTORS, INC.
 5720 PENTAGON RD.
 BALTIMORE, MD 21215
 (301) 764-3600
 PROPERTY OWNERSHIP:
 Parcel "A" - Archway Motors, Inc.
 Liber 5138/Folio 873
 Prop. No. - 01-02-601200
 Parcel "B" - Archway Motors, Inc.
 Liber 3768/Folio 487
 Prop. No. - 01-01-740430
 Lease Area "C" - Hardee's Restaurants, Inc.
 Unrecorded
 ELECTION DISTRICT: 1
 COUNCILMANIC DISTRICT: 1
 CENSUS TRACT: 4015.04
 WATERSHED: 30
 SUBWATERSHED: 78
 EXISTING ZONING: Entire site is BR-CSA, except 60' strip of
 DR 3.5 & 95' strip of BR @ Powers Lane end of
 site.

PRESENT USE: Lease Area "1" contains an existing one story
 3150 sq. ft. restaurant with parking. Remainder
 of site includes 2 one story commercial buildings
 totaling 4900 sq. ft., a crush stone car storage
 area, & woods.
 PROPOSED USE: Lease Area "1" to remain as is. Existing 2000 sq. ft.
 commercial to be demolished. Existing 2000 sq. ft.
 commercial to remain & be altered for new retail use,
 with new 6800 sq. ft. addition. A new two story
 32,000 sq. ft. building at the rear of the site will
 be mixed use of retail/office. Remainder of site
 will be used for parking.
 AREA: Parcel "A" = 0.287 acres net/0.321 acres gross
 Parcel "B" = 3.768 acres net/3.920 acres gross
 Total = 4.055 acres net/4.241 acres gross
 F.A.R. Proposed total bldg. area = 44,850 sq. ft.
 Property area for parcels "A" & "B" = 176,635.8 sq. ft.
 Proposed F.A.R. = 44,850/176,635.8 = .254
 Allowable F.A.R. = 2.0

AMENITY OPEN SPACE: None required
 AVERAGE DAILY TRIPS: Existing - 770 trips
 Proposed - 4575 trips
 PROJECT NOTES:
 Standard parking spaces to be 8.5' x 18' typical.
 Handicapped parking spaces to be 12' x 18' typical.
 Lighting, where erected, shall not: A) reflect into
 residential areas; B) interfere with traffic; C) exceed
 18 ft. in height.
 Public sewer & water exist.
 There is no historic site protected by Baltimore County
 Landmarks Legislation.
 This site is not: A) in a critical area; B) an archeological
 site; C) an endangered species habitat; D) a hazardous
 material site.
 There are no plans for the future 40' road at southeast
 corner of site.

Petitioner's E #2



KANN + AMMON, INC.
 ARCHITECTS - PLANNERS - PRESERVATIONISTS
 PLAZA SUITE ONE INVESTMENT PLACE
 TOWSON, MARYLAND 21204
 301-528-6010

COORDINATES

1	N64° 00'00"W	50.00'
2	N26° 00'00"E	250.00'
3	S64° 00'00"E	50.00'
4	S26° 00'00"W	250.00'
5	S64° 00'00"E	59.00'
6	N64° 00'00"W	161.00'
7	N26° 00'00"E	229.00'
8	S64° 00'00"E	161.00'
9	S26° 00'00"W	229.00'
10	N26° 00'00"E	313.98'
11	N26° 00'00"E	50.00'

42" WATER-DWG. 13-0005
 12" WATER-DWG. 58-0836
 8" SEWER-DWG. 46-0104

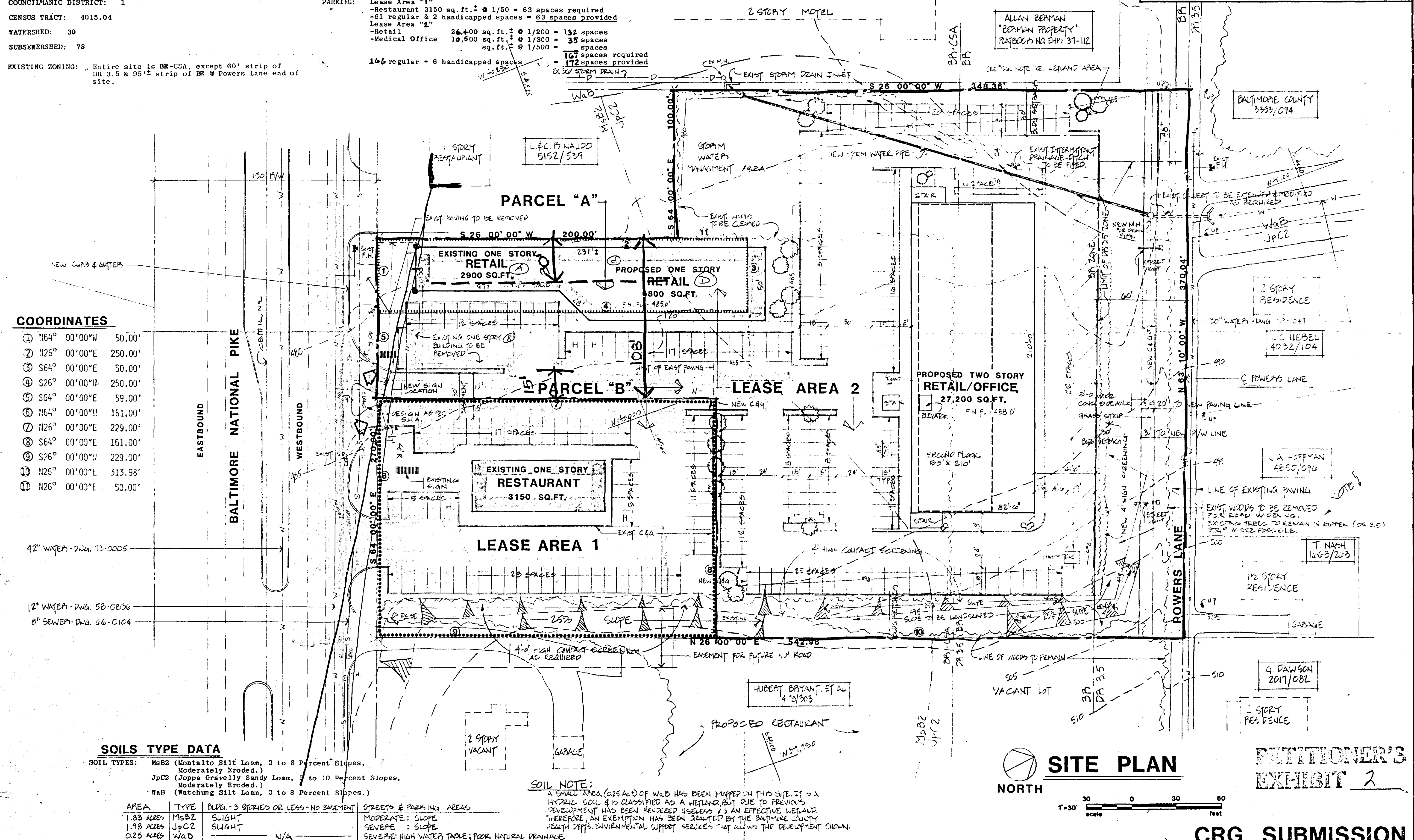
SOILS TYPE DATA

SOIL TYPES: MsB2 (Montalto Silt Loam, 3 to 8 Percent Slopes,
 Moderately Eroded.)
 JpC2 (Joppa Gravelly Sandy Loam, 5 to 10 Percent Slopes,
 Moderately Eroded.)
 WaB (Watchung Silt Loam, 3 to 8 Percent Slopes.)

AREA	TYPE	BURD - 3 STORIES OR LESS - NO BASEMENT	STREETS & PARKING AREAS
1.83 ACRES	MsB2	SLIGHT	MODERATE: SLOPE
1.98 ACRES	JpC2	SLIGHT	SEVERE: HIGH WATER TABLE; POOR NATURAL DRAINAGE
0.25 ACRES	WaB	N/A	

SOIL NOTE:

A SMALL AREA (0.25 AC) OF WaB HAS BEEN MAPPED ON THIS SITE. IT IS A
 HYDRAULIC SOIL & IS CLASSIFIED AS A WETLAND, BUT DUE TO PREVIOUS
 DEVELOPMENT HAS BEEN RENDERED USELESS AS AN EFFECTIVE WETLAND.
 THEREFORE, AN EXEMPTION HAS BEEN GRANTED BY THE BALTIMORE COUNTY
 HEALTH DEPT'S ENVIRONMENTAL SUPPORT SERVICES THAT ALLOWS THE DEVELOPMENT SHOWN.



SITE PLAN

NORTH

1" = 30' scale

PETITIONER'S
 EXHIBIT 2

CRG SUBMISSION

WESTPARK
 RETAIL / OFFICE COMPLEX
 6400 BALTIMORE NATIONAL PIKE
 BALTIMORE COUNTY, MARYLAND

RELEASED FOR:
☒ PRELIMINARY ONLY
☐ BIDDING
☐ PERMITS
☐ CONSTRUCTION

REVISIONS:
 CRG REVISED 12-20-83
 CRG REVISED 1-12-83

DATE: 10/24/83 PROJ. NO.:
 DRAWN: PLM CHECK: JPM
 TITLE:

DRAWING NO. SP-1
 SHEET ONE OF ONE

D. S. THALER & ASSOCIATES, INC.
11 WARREN ROAD • BALTIMORE, MARYLAND 21208 • (301) 484-1100

DESCRIPTION TO ACCOMPANY
SPECIAL HEARING AND VARIANCE PETITION
"WESTPARK"
BALTIMORE COUNTY, MARYLAND

Beginning for the same, at a point in the centerline of Powers Lane, said point located approximately 1100 feet from the centerline of Rolling Road and thence the following six courses and distances:

1. S 18 16'57" W 542.98'
2. N 71 40'18" W 270.00'
3. N 18 18' 53" E 200.00'
4. N 71 39'38" W 100.00'
5. N 18 23'10" E 348.36'
6. S 70 50'02" E 369.30' to the point of beginning.

October 19, 1984

CIVIL ENGINEERS • SITE PLANNERS • SURVEYORS

PETITION FOR SPECIAL HEARING AND VARIANCES
1st Election District

LOCATION: North side Baltimore National Pike, South side of Powers Lane 1100 feet West of the centerline of Rolling Road.
DATE AND TIME: Tuesday, November 20, 1984 at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve in accordance with Section 104.1 the reconstruction and enlargement of a nonconforming use, where such reconstruction does not exceed 75% of replacement cost; and, Variances to allow a side yard setback of 6 feet in lieu of the required 30 feet and a front yard setback of 26.5 feet in lieu of the required 51.5 feet.

Being the property of Archway Motors, Inc., as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES : OF BALTIMORE COUNTY
N/S Baltimore National Pike, :
S/S of Powers Lane, 1100' W of :
the Centerline of Rolling Rd., :
1st District :
ARCHWAY MOTORS, INC., : Case No. 85-147-SPHA
Petitioner : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 29th day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and Tripec Associates, 908 York Rd., Towson, MD 21204, Ground Lessee.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 9, 1984

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing and Variances
N/S Baltimore National Pike, S/S Powers
Lane 1100' W of c/l of Rolling Road
Archway Motors, Inc. - Petitioner
Case No. 85-147-SPHA

Dear Mr. Howard:

This is to advise you that \$67.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 135866

DATE: Nov. 20, 1984 ACCOUNT: 85-147-SPHA

AMOUNT: \$67.00

RECEIVED FROM: *John B. Howard, Esquire*

FOR: *Advertising & Posting*

6 056*****670016 5214F

VALIDATION OR SIGNATURE OF CASHIER

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy
Columbia, MD 21044

November 1 19 84

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCES

was inserted in the following:
☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the day of November 19 84, that is to say,
the same was inserted in the issues of

November 1, 1984

PATUXENT PUBLISHING CORP.
By: *[Signature]*

PETITION FOR SPECIAL
HEARING AND VARIANCES
1st Election District

LOCATION: North side Baltimore National Pike, South side of Powers Lane 1100 feet West of the centerline of Rolling Road.
DATE AND TIME: Tuesday, November 20, 1984 at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve in accordance with Section 104.1 the reconstruction and enlargement of a nonconforming use, where such reconstruction does not exceed 75% of replacement cost; and, Variances to allow a side yard setback of 6 feet in lieu of the required 30 feet and a front yard setback of 26.5 feet in lieu of the required 51.5 feet.

Being the property of Archway Motors, Inc., as shown on plat plan filed with the Zoning Office.
In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD, November 1, 1984
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 1, 1984.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising 26.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 11-3-84
Posted for: *Special Hearing and Variances*
Petitioner: *Archway Motors*
Location of property: *N/S Baltimore National Pike S/S Powers Lane, 1100' W of c/l of Rolling Road*
Location of Signs: *2 signs N/S Baltimore National Pike in front of subject property, 2 signs S/S of Powers Lane in rear of subject property*
Remarks: *See*
Posted by: *[Signature]* Date of return: 11-9-84
Number of Signs: 4

October 19, 1984

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Special Hearing and Variances
N/S Baltimore National Pike, S/S Powers Lane
1100' W of c/l of Rolling Road
Archway Motors, Inc., Petitioner
Case No. 85-147-SPHA

TIME: 10:15 A.M.

DATE: Tuesday, November 20, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 134326

DATE: 10/19/84 ACCOUNT: 85-147-SPHA

AMOUNT: \$26.00

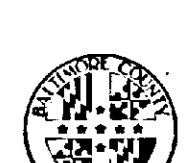
RECEIVED FROM: *John B. Howard, Esquire*

FOR: *Advertising & Posting*

6 134*****200016 8026F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Charles Rinaudo
9910 Postwick Road
Ellicott City, Maryland 21043



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 3, 1984

Mr. Charles Rinaudo
9910 Postwick Road
Ellicott City, Maryland 21043

Re: Case No. C-85-243
6406 Baltimore National Pike
1st Election District

Dear Mr. Rinaudo:

On October 1, 1984, the appropriate Special Hearing and Variance Petitions were filed regarding the above referenced case. At present, the Office of Development Control has assigned these petitions "Item No. 92". Upon the scheduled hearing date, you will be formally notified of this occurrence.

Enclosed, one will find a copy of the referenced petitions. If there are any further questions, please call.

Sincerely,

[Signature]
JAMES H. THOMPSON
Zoning Coordinator

JHT:aj

cc: Nicholas B. Commodari
Development Control

85-145
89-145

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

November 20, 1984

NOV 21 AM

HAND DELIVERED

Jean M. Jung
Deputy Commissioner of Zoning
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Variance hearing ARCHWAY MOTORS, INC.
85-147-SPHA

Dear Ms. Jung:

Pursuant to the above-captioned hearing this morning, please find enclosed a copy of Building Permit No. 64635 pertaining to the retail building for which the variance has been requested.

Very truly yours,
Deborah C. Dopkin
Deborah C. Dopkin

CCD:lmm
Enclosure
cc: James P. Hanson, Esquire (w/encl.)

DP 3
1/79

Permit

NOTE: A SEPARATE PERMIT IS REQUIRED FOR ALL ELECTRICAL & PLUMBING WORK WHICH MUST BE DONE BY AN ELECTRICIAN OR PLUMBER LICENSED IN BALTIMORE COUNTY.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

DATE ISSUED: 8/9/84

OWNER'S NAME: ARCHWAY MOTORS, INC.
BUILDING ADDRESS: 5720 REISTERSTOWN ROAD, 21215

CONTRACTOR: JWP DEVELOPMENT CO., INC.
KANN AND AMMON, INC., 1 INVESTMENT PL., 21204 2817A

DESCRIPTION: N/S BALTIMORE NATIONAL PIKE 1016' TO ROLLING ROAD

A. TYPE OF IMPROVEMENT

1. ☒ NEW BUILDING CONSTRUCTION
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ REPAIR TO EXISTING NO. UNITS DEDUCTED
6. ☐ MOVING
7. ☐ OTHER

B. OWNERSHIP

1. ☒ PRIVATELY OWNED
2. ☐ PUBLICLY OWNED

ESTIMATED COST OF MATERIAL & LABOR: \$500,000.00

24. PROPOSED USE: RETAIL BUILDING
25. PROPOSED USE: 2-BUILDINGS (BUILDINGS TO BE RAZED)

THIS PERMIT MUST BE POSTED
SEE OTHER SIDE FOR INSPECTIONS

DP 3
1/79

Permit

NOTE: A SEPARATE PERMIT IS REQUIRED FOR ALL ELECTRICAL & PLUMBING WORK WHICH MUST BE DONE BY AN ELECTRICIAN OR PLUMBER LICENSED IN BALTIMORE COUNTY.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

DATE ISSUED: 8/9/84

OWNER'S NAME: ARCHWAY MOTORS, INC.
BUILDING ADDRESS: 5720 REISTERSTOWN ROAD, BALTO., MD. 21215

CONTRACTOR: COSSENTINO CONT.
D. S. THAYLER AND ASSOC.

DESCRIPTION: N/S BALTIMORE NATIONAL PIKE 1016' TO ROLLING ROAD

A. TYPE OF IMPROVEMENT

1. ☒ NEW BUILDING CONSTRUCTION
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ REPAIR TO EXISTING NO. UNITS DEDUCTED
6. ☐ MOVING
7. ☐ OTHER

B. OWNERSHIP

1. ☒ PRIVATELY OWNED
2. ☐ PUBLICLY OWNED

ESTIMATED COST OF MATERIAL & LABOR: \$3,500.00

24. PROPOSED USE: RAZING OF SAME
25. PROPOSED USE: VACANT WAREHOUSE

THIS PERMIT MUST BE POSTED
SEE OTHER SIDE FOR INSPECTIONS

DP 3
1/79

Permit

NOTE: A SEPARATE PERMIT IS REQUIRED FOR ALL ELECTRICAL & PLUMBING WORK WHICH MUST BE DONE BY AN ELECTRICIAN OR PLUMBER LICENSED IN BALTIMORE COUNTY.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

DATE ISSUED: 8/9/84

OWNER'S NAME: ARCHWAY MOTORS, INC.
BUILDING ADDRESS: 5720 REISTERSTOWN ROAD, BALTO., MD. 21215

CONTRACTOR: COSSENTINO CONT.
D. S. THAYLER AND ASSOC.

DESCRIPTION: N/S BALTIMORE NATIONAL PIKE 1016' TO ROLLING ROAD

A. TYPE OF IMPROVEMENT

1. ☒ NEW BUILDING CONSTRUCTION
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ REPAIR TO EXISTING NO. UNITS DEDUCTED
6. ☐ MOVING
7. ☐ OTHER

B. OWNERSHIP

1. ☒ PRIVATELY OWNED
2. ☐ PUBLICLY OWNED

ESTIMATED COST OF MATERIAL & LABOR: \$3,500.00

24. PROPOSED USE: RAZING OF SAME
25. PROPOSED USE: WAREHOUSE

THIS PERMIT MUST BE POSTED
SEE OTHER SIDE FOR INSPECTIONS

85-147

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

March 15, 1985

MAR 15 AM

HAND DELIVERED

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 85-147-SPHA

Dear Mr. Jablon:

Please find enclosed Answer to Show Cause Order issued March 1, 1985 in the above-captioned matter. If you should desire further citations of the applicable law, we would be able to provide a memorandum of points and authorities.

Very truly yours,
Deborah C. Dopkin
Deborah C. Dopkin

CCD:lmm
Enclosure
cc: John B. Howard, Esquire
Martin Pechter

IN RE: PETITIONS SPECIAL HEARING AND VARIANCES N/S of Baltimore National Pike, S/S of Powers Lane, 1.100' W of the centerline of Rolling Road 1st Election District

Archway Motors, Inc.
Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 85-147-SPHA

ANSWER TO SHOW CAUSE

Tripec Associates (hereinafter "Tripec"), by its attorneys, John B. Howard, Deborah C. Dopkin, and Cook, Howard, Downes & Tracy in Answer to the Show Cause Order states the following:

1. Tripec is the Ground Lessor from Archway Motors, Inc. of the subject property known as 6400 Baltimore National Pike (hereinafter "the Property").

2. Tripec, pursuant to an approved County Review Group (CRG) plan and validly issued building and razing permits, undertook to partially raze and reconstruct an existing commercial building, nonconforming as to front and sideyard setbacks.

3. In the course of construction the walls intended to be retained were found to be structurally unsound and were razed and rebuilt in conformity with good construction practice and safety standards upon the

pre-existing footings and slab of the building. Tripec undertook such action in good faith reliance upon the permits and approvals that it had obtained from Baltimore County.

4. After the building was substantially constructed and the nonconforming walls substantially complete, a complaint was filed alleging a violation of the Baltimore County Zoning Regulations.

5. Tripec filed petitions with the Zoning Commissioner of Baltimore County seeking variances for front and sideyard setbacks and seeking a special hearing for the reconstruction and enlargement of a nonconforming use, all in conformity with the approvals and permits issued to it.

6. The Deputy Zoning Commissioner, following a hearing and an inspection of the property, concluded that the variances requested did not impair the health, safety or welfare of the community and that undue hardship and practical difficulty would result if "some of the relief sought were not granted."

7. By order dated December 13, 1984, the Deputy Zoning Commissioner denied the Petition for Special Hearing, but granted variances for a sideyard setback of 6 feet in lieu of the required 30 feet as requested and in conformity with both the pre-existing and reconstructed

building, and granted a frontyard setback of 34.5 feet in lieu of the required 51.5 feet, which however did not conform to the location of the reconstructed wall.

8. The Order was interpreted as a grant of the requested variances and therefore no appeal was taken by Tripec. Upon analysis and re-interpretation, the intent of the Order remains ambiguous with respect to the improvements.

9. Compliance with the Order of the Deputy Zoning Commissioner requires affirmative action of a drastic nature be taken by Tripec. The Order of the Deputy Zoning Commissioner, however, does not direct any affirmative action be taken by Petitioner.

10. An administrative order must be definite, certain and unambiguous where directing a party to take affirmative action of a drastic nature, as in the instant case. Tripec submits that the Order clearly did not meet this standard.

11. Compliance with the Order would cause undue hardship to Tripec disproportionate to the benefit to be derived and contrary to the equities involved. Under the firmly established doctrine of comparative hardship, the affirmative action required of Tripec to comply with the Order would clearly be inequitable and result in irreparable injury to Tripec.

12. The portion of the Order directing a front yard setback of 34.5 feet is inconsistent with the conclusions of fact and the evidence adduced at the hearing, and should therefore be modified.

13. New evidence has become available that conclusively demonstrates that the injuries alleged as a result of Tripec's activities are unfounded in fact.

14. Since the Order of the Deputy Zoning Commissioner is inconsistent with the evidence and conclusions of fact, and does not clearly and unambiguously direct affirmative action of Tripec, it should be modified as specifically set out below.

15. It is respectfully submitted that the Zoning Commissioner has continuing authority to review, reconsider or revise an order which is erroneous, inadvertent or ambiguous.

WHEREFORE, Petitioner respectfully requests the following relief:

A. That the Zoning Commissioner exercise the authority vested in him to review, reconsider and revise the Order of the Deputy Zoning Commissioner to provide a front yard setback of 11.5 feet in lieu of the required 51.5 feet and a side yard setback of 6 feet in lieu of the required 30 feet, without further hearing.

4

B. That in the alternative the Zoning Commissioner continue the hearing to consider additional evidence and legal argument regarding the inequities imposed by the Order and the irreparable injury which would result.

John B. Howard
JOHN B. HOWARD

Deborah C. Dopkin
DEBORAH C. DOPKIN
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204
301-823-4111
Attorneys for Petitioner
Tripec Associates

5

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of March, 1985, a copy of the foregoing Answer to Show Cause was mailed, first class, postage prepaid to James Hanson, Esquire, 8386 Court Avenue, Ellicott City, Maryland 21043, Attorney for Complainant, and to People's Counsel for Baltimore County, Court House, Towson, Maryland 21204.

Deborah C. Dopkin
DEBORAH C. DOPKIN

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

September 25, 1984

Petition should be filed by Nov.

Arnold Jablon, Esquire
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Westpark Special Hearing/Variance Case
6400 Baltimore National Pike

Dear Mr. Jablon:

Pursuant to our meeting of last week regarding the nonconforming use at the above captioned property, the property owner spoke with his neighbor to the west, Mr. Rinaudo, regarding the latter's position. It appears that Mr. Rinaudo is an intransigent. We have enclosed a copy of Mr. Pechter's letter with the results of that conference. Please advise us of any action your office may be taking so we may consult with our client.

The Petitions for Special Hearing and for Zoning Variance are currently being prepared along with the requisite exhibits and will be submitted in the next day or two, as soon as completed. We would request that because of the peculiar circumstances this matter be scheduled for hearing at an early date.

We will keep you advised of any further developments and appreciate whatever consideration you may be able to give the scheduling of these hearings.

Very truly yours,

Deborah C. Dopkin
Deborah C. Dopkin

DCD:diz

cc: Mr. Martin H. Pechter
John B. Howard, Esquire

TRIPEC ASSOCIATES
908 YORK ROAD
TOWSON, MARYLAND 21204
(301) 823-5151

September 20, 1984

Mr. John Howard, Esquire
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204

Dear John,

In regard to the Westpark variance issue, I spoke with the property owner to the west of my parcel on Baltimore National Pike to see if we could work out any differences between us. Mr. Rinaudo was very polite yet unwilling to reconsider his position. I explained to Mr. Rinaudo that the existing wall was unsafe and that I am replacing that condition with a much improved structure. I also attempted to show Mr. Rinaudo that I have actually improved his situation immeasurably by removing two unsightly and poorly maintained buildings and replacing them with a new upscale shopping center. Mr. Rinaudo then told me that I am building twenty feet in front of his existing building. After a brief inspection, it appears that my structure sits no more than eight feet forward of the canopy on the neighboring building.

In light of the facts, I have not changed the position of the building in question, and I have improved the value of the neighboring property. I feel that I should be allowed, by Baltimore County, to continue with the project which was originally approved.

Thanking you for your assistance in this matter, I remain

Sincerely,

M. H. Pechter
Martin H. Pechter

85-147-SFHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of September, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Archway Motors, Inc.
Petitioner's Attorney: John B. Howard, Esquire

Received by: *Michael J. Commodari*
Michael J. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 9, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
No. 85-147-SFHA
SUBJECT: Archway Motors, Inc.

A plan was approved by the County Review Group on January 12, 1984.

NBG/JGH/sf

Thomas E. Gerber, Director
Thomas E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.
DIRECTOR

November 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 92 (1984-1985)
Property Owner: Archway Motor, Inc.
S/S Powers Lane 1100' W. from centerline
Rolling Rd.
Access: 3.3
District: 1st

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

The Petitioner is advised that since some public facilities are involved in the development of this site, that all previous comments for the "Westpark Retail-Office Complex", dated November 22, 1983, still apply.

Very truly yours,

James M. Markle, Jr.
James M. Markle, Jr., Chief
Bureau of Public Services

JAM:EAM:PMO:an
Encls.

85-147-SFHA

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 13, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204000
Nicholas B. Commodari
Chairman

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
DevelopmentJohn B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204RE: Item No. 92 - Case No. 85-147-SPHA
Archway Motor, Inc.
Variance & Special Hearing Petitions

Dear Mr. Howard:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above referenced petition. The following comments from the CRG have been substituted for those of the Zoning Plans Advisory Committee. They are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

cc: D. S. Thale and Associates, Inc.
Warren Road
Baltimore, Maryland 21208COUNTY REVIEW GROUP MEETING #1
Wednesday, November 23, 1983

WESTPARK RETAIL/OFFICE COMPLEX

COUNTY REVIEW GROUP - THOSE PRESENT*

Gilbert S. Benson, Chairman - Dept. of Public Works
E. A. Bober - Office of Current Planning
Susan Carrell - Office of Planning
Greg Jones - Traffic Engineering
Harris Shalowitz - Developers Engineering Div.
George Wittman - State Highway Administration
Marty Pechter - JHP Development Co., Inc.
Alan Abramson - Archway Holding Co., Inc.
Donald Kann - Kann & Ammon, Inc.
Roger Lee Katzenberg - Kann & Ammon, Inc.

*Attachment - List of Interested Citizens

Mr. Benson, Chairman of the County Review Group, called the meeting to order at 9:30 a.m. He introduced the members of the committee and stated the purpose of the meeting.

Mr. Donald Kann, developer's engineer, presented the plan. There is an existing restaurant within this site along with an existing retail store. They propose to enlarge the retail store and construct a 2-story office and retail building along the frontage of Powers Lane. Access to this tract is from Baltimore National Pike and Powers Lane. Road improvements are proposed for Powers Lane in addition to the dedication of highway widening.

Susan Carrell, Office of Planning, summarized the written comments submitted from State Highway Administration, Traffic Engineering, Recreation & Parks, Planning, Zoning, Health, and Developers Engineering Division. Miss Carrell's summary is as follows:

No open space is required for this subdivision.

Elimination of existing entrance at the west property line and the reconstruction of easement access between area C and portion B as a direct right turn in and out entrance is generally acceptable. SHA recommends east entrance be reconstructed as a right turn in only.

A study will be needed showing the easternmost entrance from Rt. 40 being relocated as use-in-common access with the site to the east. The first two parking spaces at the westernmost entrance from Rt. 40 to be relocated.

Parking and lease areas to be clearly defined on the plan. Parking spaces to be numbered. Location of 2-story office and retail building must be shown. Cross easements for ingress and egress for lease area C and D must be shown on the plan and recorded with the plat. Bryant property located to the east is being processed by Baltimore County and Planning requests that an access to serve both sites be provided by the two sites. Developer's engineer to study this proposal. Subdivision is located within the Patapsco Drainage Area and no building permits will be issued unless capacity within this public sewer is available.

WESTPARK RETAIL/OFFICE COMPLEX

-2-

November 23, 1983

This subdivision is located within a "D" level area; the intersection of Baltimore National Pike and Rolling Road. Basic service areas are re-evaluated every year and issuance of building permits in the future will be determined based on the constraints of the re-evaluation of this intersection.

A 4' compact screening must be provided for all proposed or existing parking areas which adjoin or are across from existing residences. A reclassification hearing, Case No. 73-40-R, granted rezoning on a portion of the subject property from a DR 3.5 zone to a BR zone, saving and excepting a buffer 60' from and parallel to the centerline of Powers Lane. The BR-DR3.5 zone line appears to be shown correctly on the plan, however the centerline of Powers Lane and Baltimore National Pike and Powers Lane must be clearly indicated on the plan. It appears that a portion of the driveway and parking lot for the two-story retail and office building is located within a residential transition area in a DR 3.5 zone. Due to the fact that a special hearing is required for a commercial parking lot in a DR zone and a 75-foot wide buffer is required between any off-site single family homes and any portion of a parking lot in a residential transition area, the plan must be revised. The driveway and curbing must be shifted approximately 12' so they are located totally within the BR zone.

The plan is recommended for approval by the Health Dept. subject to sewer allocation and the conditions set forth by that office.

Powers Lane shall be improved with a 40' curb and gutter cross section on a 60' R/W. Developer shall be responsible for curb, gutter and paving for this frontage and dedication of highway widening. Sidewalks and street lights are required for this frontage. Storm water management and sediment control requirements apply to this subdivision. All storm drain improvements shall be developer's full cost. Public water exists within Baltimore National Pike and Powers Lane and can be made available by connections. Public sewer exists in Baltimore National Pike and can be made available by connections.

CITIZENS' COMMENTS

Ms. Elizabeth Nash and Mrs. Ann Uebel expressed concern about the increased traffic on Powers Lane, a very narrow existing road, and asked if the existing trees would remain along Powers Lane.

The CRG advised that Powers Lane is being improved as the land develops.

Developer stated that as many trees as possible would remain along Powers Lane.

Written comments from the aforementioned agencies were given to the developer and developer's engineer.

WESTPARK RETAIL/OFFICE COMPLEX

-2-

January 12, 1984

The plan is satisfactory as it pertains to Traffic Engineering.

This site does not have sufficient frontage to accommodate 2 entrances of directional design with a 10' tangent requirement. The proposed entrance to serve this site must be constructed with a directional right turn in and out access. The existing entrance could be improved by a right turn in only entrance in accordance with SHA specifications.

It was the opinion of the Committee that the existing entrance remain as is until such time as improvements are made to the restaurant. At that time, it would be proposed that this entrance be closed with all access from the new entrance.

CITIZENS' COMMENTS

Mr. Nash and Mr. Danson felt that any access to Powers Lane would make it very dangerous because of the very narrow width of paving for this roadway. They requested that improvements be made to Powers Lane.

A copy of the written comments from the aforementioned agencies was given to the developer and developer's engineer. All comments have been made a part of these minutes. Developer was advised to make a note on the plan stating that if there are any changes or improvements to the restaurant, the entrance shall be closed.

The plan was approved by the Dept. of Public Works and Office of Planning. The meeting was adjourned at 10:00 a.m.

WESTPARK RETAIL/OFFICE COMPLEX

-2-

November 23, 1983

The developer was advised to study the common driveway from Rt. 40 to serve the Westpark Subdivision and Bryant Property, redesign the parking along Powers Lane, show the landscaping for Powers Lane, show on the revised plan the revisions to the existing entrances for Westpark.

A continued meeting is required for this proposal. The meeting was adjourned at 10:30 a.m.

WESTPARK RETAIL/OFFICE COMPLEX
November 23, 1983
9:30 a.m.
C. R. G. MEETING AGENDA

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments or questions
7. Developer's response
8. County Review Group decision
9. Adjourn meeting

SIGN IN

Name	Address
Elizabeth Nash	1934 Powers Lane - Catonsville, Md. 21228
Ann Uebel	1932 Powers Lane - Catonsville, Md. 21228
Paul Uebel	1942 Powers Lane - Baltimore, Md. 21228
	1942 Powers Lane - Baltimore, Md. 21228

COUNTY REVIEW GROUP MEETING #2
Thursday, January 12, 1984WESTPARK RETAIL/OFFICE COMPLEX
DISTRICT 1

COUNTY REVIEW GROUP - THOSE PRESENT*

Gilbert S. Benson, Chairman - Dept. of Public Works
Eugene A. Bober, Co-Chairman - Office of Current Planning
Agency Representatives
Harris Shalowitz - Bureau of Public Services
George Wittman - State Highway Administration
Susan Carrell - Planning
Greg Jones - Traffic Engng.

Developer's Representatives

Marty Pechter - JHP Development Co., Inc.
J. McGowan - Kann & Ammon, Inc.
Hank Sadler - D. S. Thaler & Assoc.

*Attachment - Interested Citizens

The meeting was called to order at 9:00 a.m. by Mr. Gilbert Benson, Chairman of the County Review Group. He introduced the members of the committee and advised that this was a continued meeting from 11/23/83. Mr. Benson also advised that there were four issues to be resolved from the previous meeting: developer was to study the common driveway from Rt. 40 to serve the Westpark Subdivision and Bryant Property; redesign the parking along Powers Lane; show the landscaping for Powers; show on the revised plan the revisions to the existing entrances for Westpark.

Mr. Hank Sadler, developer's engineer, presented the plan. All issues have been revised and shown on the plan except for the existing driveway that now serves Hardee's Restaurant. The entrance cannot be improved to meet the State's standards and the existing Hardee's has a 99-year lease and does not want to make any improvements at this time.

Susan Carrell, Office of Planning, summarized the written comments submitted from Developers Engineering Division, Planning Zoning, State Highway Administration, Traffic Engineering. Miss Carrell's summary is as follows:

The plan meets the approval of the Developers Engineering Division and comments of 11/22/83 still apply for this site.

The amended plan meets requirements of Planning subject to revisions to the Hardee's access.

The plan generally meets the requirements of Zoning. The lease area 1 contains 61 parking spaces while existing restaurant requires 63. Parking spaces may be located within 500 feet of the building; therefore, a cross easement may be recorded to allow the use of 2 additional parking spaces within lease area 2.

WESTPARK RETAIL/OFFICE COMPLEX

-2-

January 12, 1984

The plan is satisfactory as it pertains to Traffic Engineering. This site does not have sufficient frontage to accommodate 2 entrances of directional design with a 10' tangent requirement. The proposed entrance to serve this site must be constructed with a directional right turn in and out access. The existing entrance could be improved by a right turn in only entrance in accordance with SHA specifications.

It was the opinion of the Committee that the existing entrance remain as is until such time as improvements are made to the restaurant. At that time, it would be proposed that this entrance be closed with all access from the new entrance.

CITIZENS' COMMENTS

Mr. Nash and Mr. Danson felt that any access to Powers Lane would make it very dangerous because of the very narrow width of paving for this roadway. They requested that improvements be made to Powers Lane.

A copy of the written comments from the aforementioned agencies was given to the developer and developer's engineer. All comments have been made a part of these minutes. Developer was advised to make a note on the plan stating that if there are any changes or improvements to the restaurant, the entrance shall be closed.

The plan was approved by the Dept. of Public Works and Office of Planning. The meeting was adjourned at 10:00 a.m.

CONTINUED MEETING
C. R. G. MEETING AGENDAWESTPARK RETAIL OFF. COMPLEX
January 12, 1984
9:00 a.m.

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments or questions
7. Developer's response
8. County Review Group decision
9. Adjourn meeting

SIGN IN

Name	Address

FEB 24 1987

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: January 5, 1984

Continued Meeting

PROJECT NAME: West Park	PLAN
COUNCIL & ELECTION DISTRICT	PLAN EXTENSION
	REVISED PLAN
	PLAN

The amended plan meets the requirements of this office. The applicant is advised that prior to any issuance of permits a letter must be secured from Hardee's indicating that they approve of the new driveway configuration.

A landscape plan must be submitted with the permit application.

E. Bober

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS
FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

DATE: November 22, 1983

PROJECT NAME: Westpark Retail-Office Complex

PROJECT NUMBER: #83185

LOCATION: S/S Powers Lane,
W. of Bolling Road

DISTRICT: 1C1

The Plan for the subject site, dated October 24, 1983, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

The State Health Department Construction Permits for each private utility (water, sanitary sewer and storm drains) totaling over 400 feet in length will be obtained through the Baltimore County Department of Public Works.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 2.5 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer is responsible for the full cost of all highway and storm drain construction.

Project #83185
Westpark Retail-Office Complex
Page 2
November 22, 1983

GENERAL COMMENTS: (Cont'd)

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, after which a Building Permit may be approved.

HIGHWAY COMMENTS:

• Powers Lane is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the site shall be as follows:

a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site or as may be required to establish line and grade.

b. The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.

c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

d. The preparation of the right-of-way plat for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way.

e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

f. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards and requirements for 11-inch thick paving.

g. The relocation of any utilities or poles as required by the road improvements.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

Project #83185
Westpark Retail-Office Complex
Page 3
November 22, 1983

HIGHWAY COMMENTS: (Cont'd)

The contours on the plan reveal rather excessive grades. The Developer's engineer is cautioned not to exceed the maximum set by Baltimore County Standards in the establishment of street grades.

The entrance locations are subject to approval by the Department of Traffic Engineering, and the State Highway Administration.

Entrances shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-30, 31 and 32, 1977 Edition), as the Developer's total responsibility.

• In accordance with Bill No. 32-72, street lights are required in all developments. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power when the streets have been accepted for County maintenance.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Project #83185
Westpark Retail-Office Complex
Page 4
November 22, 1983

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

• The Developer's Engineer has shown a drainage pipe across the northwestern corner of his property, with open ditches at both ends. Since this will be a public system, picking up storm drainage from the north side of Powers Lane, it must be tied in at Powers Lane, and must be within a drainage and utility easement.

• The downstream system across the Berman property is a private system. In order to utilize this system, the Developer must have the existing pipe inspected and approved by Baltimore County, and provide a public drainage and utility easement to cover the existing pipe.

The Developer has the option of taking his drainage to a suitable outfall in a public system, in public easements, thru his property.

Offsite rights-of-way are necessary for storm drains or other utilities. The Developer is hereby advised that the final plat and/or building permits will not be approved until the offsite right-of-way is acquired. The County reserves the right to make the necessary contacts for acquisition of rights-of-way.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

• Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies and storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 10-77) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit.

Project #83185
Westpark Retail-Office Complex
Page 5
November 22, 1983

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

The Developer shall be responsible to stabilize the sidewalk areas and supporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1982 Baltimore County Storm Water Management Policy and Design Manual adopted January 17, 1983 and as amended.

Sediment control provisions will be required for each individual building permit application.

The Developer is responsible for the cost of temporary structures and measures required in the event of sectional development.

Temporary construction easements of adequate width are necessary adjacent to all offsite rights-of-way or easements where utility construction is planned. They should be indicated on the right-of-way plats and construction drawings.

WATER AND SANITARY SEWER COMMENTS:

• A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

Public water exists in Baltimore National Pike and Powers Lane.

Public sewer exists in Baltimore National Pike.

Permission to obtain a metered connection for water and a connection for sewer from the existing mains may be obtained from the Department of Permits and Licenses.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This charge is in addition to the normal front foot assessment and permit charges.

Project #83185
Westpark Retail-Office Complex
Page 6
November 22, 1983

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform to the Baltimore County Plumbing Code.

This site is subject to the sewer allocation policy as established by the Baltimore County Council.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

For the construction of two or more buildings, the Developer shall submit one (1) set of engineering drawings, signed and sealed by a Design Engineer, to be directed to the Plumbing Division via the Buildings Review Section when applying for a new building permit application. These drawings will include, but are not limited to the following information:

a. All proposed lines will be marked with size of line and type of pipe.

b. Length of line between changes in direction or changes in grade, or between manholes and/or cleanouts.

c. Invert elevations for all proposed cleanouts and/or manholes.

d. Proposed elevations and grades of proposed building floor elevations and finished grades.

e. Percent grades between cleanouts and/or manholes.

f. Proposed location of connection to each building.

g. The number of dwelling units in each building.

h. Certification by Design Engineer that all lines were designed for the required capacity by the Fixture-Unit Method of Design described in A.S.C.E. Manual of Practice No. 37, and that a 2-foot per second minimum velocity is available at the design flow for the size and slope selected.

This drawing will become the copy for the Baltimore County Plumbing Department's permanent files and records. When received, the Plumbing Inspection Division will authorize issuance of a permit for the construction of the private sewer system upon proper application by a master plumber, with installation to be made by journeyman plumbers.

Project #83185
Westpark Retail-Office Complex
Page 7
November 22, 1983

WATER AND SANITARY SEWER COMMENTS: (Cont'd)

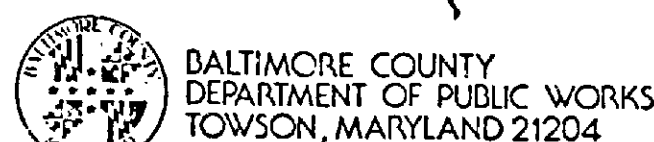
No building permit applications will be approved until these drawings have been submitted to the Plumbing Division.

The Plan may be approved subject to the above comments.

E. McDonough
EDWARD A. McDONOUGH, P.E., Chief
Developers Engineering Division

EAM:HWS:ss

cc: File



HARRY J. PISTEL, P.E.
DIRECTOR

December 14, 1983

J. M. J. Associates
7942 Belridge Road
Baltimore, Maryland 21236

Re: Westpark Retail-Office Complex
Project #83185

Gentlemen:

The following comments are supplementary to the comments previously given to you.

SUPPLEMENTARY WATER COMMENTS:

Comments have been received from the Baltimore City Water Division and their comments are as follows:

"...service may be obtained from the Catonsville Fourth Zone.

A master metered service may be taken from the existing 12-inch main in the Baltimore National Pike.

The developer should investigate the proper sizing for internal piping and onsite pumping to maintain the required water pressure throughout the project.

All mains within the project not in public roads will not be serviced or maintained by the City."

Very truly yours,
(SIGNED) ROBERT A. MORTON
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:HMS:ss

cc: Kann + Ammon, Inc.
Plaza Suite, One Investment Place
Towson, Maryland 21204

Robert Morton, Steve Narowanski, File

MICROFILMED

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS

DATE: January 9, 1984

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Westpark Retail-Office Complex

PROJECT NUMBER: #83185

LOCATION: S/S Powers Lane,
W. of Rolling Road

DISTRICT: 1C1

The Plan for the subject site, dated October 24, 1983 and revised December 20, 1983, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

Previous Engineering County Review Group Comments dated November 22, 1983 still apply for this site.

The Plan may be approved subject to these comments.

(SIGNED) EDWARD A. MCDONOUGH
EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:HMS:ss

cc: File

MICROFILMED

Maryland Department of Transportation

State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Caltrider
Administrator

RECEIVED
NOV 14 1983

BUREAU OF PUBLIC SERVICES

November 9, 1983

Mr. Robert A. Morton, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 11-22-83
"Westpark" - Retail & Office
Complex, N/S Balto. National Pike
Route 407, 1,300' East of
Rolling Road

Dear Mr. Morton:

On review of the site plan of 10-24-83 and field inspection, the State Highway Administration offers the following comments.

"The elimination of the existing entrance at the west property line and the reconstruction of the easement access between Area "C" and Parcel "B" as a directional Right Turn In and Right Turn Out entrance is generally acceptable.

"The State Highway Administration strongly recommends the east entrance be reconstructed as a directional Right Turn In-"Only".

"The existing condition now provides motorist the opportunity to egress the east entrance and cross the U.B.I. of Baltimore National Pike in a unsafe manner to reach the existing median cross-over near the east property line.

It is requested the plan be revised prior to Baltimore County approval.

All work within the S.H.A. Right of Way must be through permit with the posting of a bond to guarantee construction.

Very truly yours,

(SIGNED) CHARLES E. LEE
CHARLES E. LEE, Chief
Bureau of Engineering
Access Permits

MICROFILMED

CL:GTM:mnw

By: George Mittman

cc: Mr. J. Ogilvie
My telephone number is (301) 650-1220
Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

Subject: County Review Group Comments

Date: November 3, 1983

From: Dept. of Recreation and Parks

Project Name: WESTPARK Preliminary Plan

Project Number: Development Plan

Location: Baltimore National Pike Final Plat

Districts: 1, C-1 CRG Plan X

COMMENTS:

Since there is no subdivision of the property there is no Local Open Space required.

Albert R. Svehla, Jr.
Facilities Coordinator

MICROFILMED

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: NOVEMBER 22, 1983

PROJECT NAME: WESTPARK RETAIL/OFFICE COMPLEX PLAN: XXXXXXXXXXXXXXXX

COUNCIL & ELECTION DISTRICT: 1-242

PLAN EXTENSION

REVISED PLAN

PLAT

The Office of Planning and Zoning has reviewed the subject plan and has the following comments:

"The Parcels and the Lease areas must be clearly differentiated on the Plan. It is suggested that the Lease Areas be identified as Lease Area 1 and Lease Area 2 and that the parcel lines and lease lines be differentiated.

The parking spaces must be numbered on the Plan.

The orientation of the proposed two story retail/office building must be shown on the plan.

The location of proposed signs must be shown on the plan.

"Landscaping should be provided on this site in addition to that shown on the plan. There is adequate area along the frontage of Powers Lane to provide landscaping in addition to the proposed 4' screening. Interior landscaping around the buildings and on the parking lot should be provided. A landscape plan should be submitted with the building permit application.

"A plan for development of the Hubert Bryant Property has been submitted to the County Review Group for processing. The plan proposes a restaurant and a retail store. Upon review of both plans, this office supports Department of Traffic Engineering's recommendations and recommends that cross easements for access between the two sites be further studied.

A Final plat is required for recordation of the Lease areas.

Cross easements for ingress and egress for Lease Area C and Lease Area D must be shown on this plan and recorded with the plat.

The property is located in a limited service area, the Patapsco Drainage Area, as defined by Bill 178-79. Bill 178-79 Section 4A02.3C, requires that no building permit shall be issued or Plat recorded in a deficient service area until a Reserve Capacity Use Certificate has been issued by Baltimore County. In the event that there is no capacity available, the Plat may be recorded, but building permits would not be issued until capacity becomes available.

The property is located in a traffic area controlled by a "D level intersection", Baltimore National Pike and Rolling Road, and it is possible that as conditions change traffic capacity may become more limited. The Basic Services areas which determine traffic deficiency have been re-evaluated by the Planning Board in October, 1983, and new maps will be adopted by the County Council in December, 1983. The Basic Services Areas are re-evaluated annually. Issuance of building permits in the future may be determined by the constraints of re-evaluation of deficient areas.

(SIGNED) Susan Council

MICROFILMED

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: November 23, 1983

FROM: ZONING

PROJECT NAME: Westpark

PLAN: ✓

LOCATION: 6400 Baltimore National Pike DEVELOPMENT PLAN:

DISTRICT: 1st Election District

PLAT:

"1. A reclassification hearing, Case No. 73-40-R, granted rezoning on a portion of the subject property from a D.R. 3.5 zone to a B.R. zone, saving and excepting a buffer 60 feet from and parallel to the centerline of Powers Lane. The B.R. - D.R. 3.5 zone line appears to be shown correctly on the plan, however the centerline of Powers Lane and Baltimore National Pike and Powers Lane must be clearly indicated on the plan. It appears that a portion of the driveway and parking lot for the two story retail/office building is located within a residential transition area in a D.R. 3.5 zone. Due to the fact that 1) a special hearing is required for a commercial parking lot in a D.R. zone and 2) a 75 foot wide buffer is required between any offsite single family homes and any portion of a parking lot in a residential transition area, the plan must be revised. The driveway and curbing must be shifted approximately 12 feet so they are located totally within the B.R. zone.

"2. The parcel lines and the lease lines should be indicated in a clear manner. Building setbacks must be maintained from the parcel lines or lease lines. The required building setbacks in B.R. and 30 feet for each side and rear. The existing retail building on Parcel A is non-conforming with regard to side setback; therefore the proposed one story retail addition may be in line with it. The orientation of the existing two story motel to the west should be indicated. If the proposed two story retail/office building shown on Lease Area D is oriented in the same direction as the motel is, the average front setback must be maintained.

7/32bss

MICROFILMED

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: November 23, 1983

FROM: ZONING

PAGE 2

PROJECT NAME: Westpark

PLAN: ✓

LOCATION: 6400 Baltimore National Pike DEVELOPMENT PLAN:

DISTRICT: 1st Election District

PLAT:

"3. Four foot high compact screening must be provided for all existing and proposed parking areas which adjoin or are across from any residences.

"4. Parking bays should be numbered, the required parking need not be located on the parcel itself, however it must be located within 500 feet of each building.

(SIGNED) DIANA LITTE
DIANA LITTE
Zoning Associate III

DI:bsc

MICROFILMED

7/32bss

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: January 12, 1984

FROM: ZONING

PROJECT NAME: West Park Retail-Office Complex PLAN: Continued meeting

LOCATION: S/S Powers Lane

W of Rolling Road

DISTRICT: 1st Election District

PLAT:

"1. The revised plan submitted for the continued CRG meeting generally meets the comments made on November 23, 1983. CRG approval is acceptable.

"2. The following minor comment should be complied with prior to plat and/or building permit approval. Lease Area 1 contains 61 parking spaces while the existing restaurant requires 63 spaces. Parking spaces may be located within 500 feet of the building. A cross easement may be recorded to allow the use of the two additional spaces shown on Lease Area 2 or the lease line may be revised.

(SIGNED) DIANA LITTE
DIANA LITTE
Zoning Associate III

DI:bsc

MICROFILMED

7/32bss